

Attorney Docket No. 566/43959
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jürgen HUBER et al.	Conf. No.:	7075
Serial No.:	10/533,390	Art Unit:	3683
Filed:	October 13, 2005	Examiner:	James K. Hsiao
For:	BRAKE DEVICE WITH AN ACTUATOR OPERATED BY A PRESSURE MEDIUM		

RESPONSE TO OFFICE ACTION AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Barnes & Thornburg Customer No:

23646

U.S. Patent and Trademark Office

Sir:

In response to the Office Action mailed August 8, 2007 please amend the above-identified application as follows:

Remarks begin on page 2 of this paper.

Amendment to the Specification begins on page 4

Amendment to the Claims begin on page 5 of this paper.

REMARKS

Examiners Hsiao and Siconolfi are thanked for the courtesy extended during the Office Interview on November 6, 2007.

It is believed that the Interview Summary accurately reflects what was discussed and agreed to.

Reconsideration of the rejection of Claims 4 and 7 under 35 U.S.C. §112, second paragraph, is hereby requested. The phrase "fraction of a maximally achievable braking force has been generated" means that there is a maximum braking force that is achievable with regard to the disclosed brake device and the overflow valve is opened until a fraction of that maximum has been generated by the device. Support for this explanation is found in paragraphs 8 and 18 of the Specification. Therefore, reconsideration of this rejection is respectfully requested.

Reconsideration of the rejection of Claims 1 and 2 under 35 U.S.C. §102(b) as being anticipated by Emilsson (U.S. Patent No. 4,575,159) is hereby requested. As stated in the Interview Summary "it was agreed upon that the limitation of the claim defines over the prior art of record". Therefore, Claims 1 and 2 are considered to be in condition for allowance and such is respectfully requested.

The Specification has been amended at paragraph 19 to correct a typing error in that "ventilation valve 22" should read "bleeder valve 22".

New dependent Claims 8 and 9 have been added; Claim 8 depending from Claim 1 and Claim 9 depending from Claim 2. Support for Claims 8 and 9 is found in the Specification at paragraph 17.

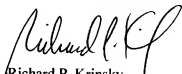
Dependent Claims 2, 4 and 7-9 depend from Claim 1 and are considered to be allowable for at least the same reasons as Claim 1 and for their own limitations as well, and such is respectfully requested.

In view of the above, Claims 1, 2, 4 and 7-9 and the Application are in condition for allowance and such is respectfully requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and

shortages in other fees, be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 02-1010 (566/43959).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Krinsky". The signature is fluid and cursive, with the first name "Richard" being more legible than the last name "Krinsky".

Richard P. Krinsky

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Enclosures: Amendment to the Specification
Amendments to and Listing of Claims

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